

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 77682-130

In re application of MAZDA SALMANIAN)
Serial No.:09/383,629) Art Unit: 2662
Filed :August 26, 1999) Examiner: Dmitry Levitan
For : CALL ADMISSION CONTROL METHOD)
AND APPARATUS FOR CELLULAR SYSTEMS)

Draft only, for Examiner's review

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated January 28, 2003.

REMARKS

In paragraph 1 of the current Detailed Action, the Examiner has rejected claim 14 under 35 U.S.C. 112, first paragraph. In paragraph 4 of the Detailed Action the Examiner states "Applicant argues that FER implementation into MAC layer device is disclosed on pages 9 and 10 of the application." With respect, this is not what the Applicant has argued. Instead, in the previous response of January 2, 2003 reference was made to pages 9 and 10 for a detailed method of calculating the frame error rate. It was also argued that the MAC layer is a well understood aspect of a communication device, and a person skilled in the art would certainly understand how to implement the method described on pages 9 and 10 in the MAC layer of a device. A MAC layer can certainly be made aware of frame error rate information, and with respect it is submitted that it is not necessary to provide details of how this is conveyed to the MAC layer. This would be analogous to requiring a detailed circuit implementation and code every time any patent specification refer to the frame error rate and with respect, Applicant submits that one skilled in the art would understand that this is not necessary. The Examiner is respectfully requested to withdraw the rejection of claim 14 under 35 U.S.C. 112 as set out in